

**NEWTON JR. COOK,**

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**Plaintiff,**

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**v.**

) **Case No. CIV-10-445-JHP**

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**DARIN UPTON AND BILL BOOKER,**

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**Defendants.**

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Rule 41(b) of the Federal Rules of Civil Procedure provides as follows:

In this case the Plaintiff has failed to comply with an order of the Court. On April 25, 2011, the Court addressed in an Order Plaintiff's failure to prosecute this action as to the defendants. This Court entered an Order advising the Plaintiff that this case would be dismissed if no action was taken within 30 days. [Doc. No. 36] As of the date of this Order, the Plaintiff failed to prosecute this action.

In light of the Plaintiff's failure to comply with this Court's order, this Court dismisses this action in all respects pursuant to Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED**, this 2nd day of June, 2011.



James H. Payne  
United States District Judge  
Eastern District of Oklahoma